

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CHEVRON CORPORATION,

Plaintiff,

v.

STEVEN DONZIGER, et al.,

Defendants.

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11 Civ. 0691 (LAK)

**DECLARATION OF JOHN A. SLAVEK IN SUPPORT OF
CHEVRON CORPORATION’S REPLY MEMORANDUM OF LAW IN SUPPORT OF
ITS MOTION TO HOLD STEVEN DONZIGER, THE LAW OFFICES OF STEVEN R.
DONZIGER, AND DONZIGER ASSOCIATES, PLLC IN CONTEMPT OF COURT
FOR THEIR FAILURE TO COMPLY WITH THE RICO AND DEFAULT
JUDGMENTS AND THE APRIL 16, 2018 RESTRAINING NOTICE**

I, JOHN A. SLAVEK, hereby declare under penalty of perjury pursuant to 28 U.S.C.

§ 1746, that the following is true and correct:

Background

1. I am a Managing Director of Business Intelligence and Investigations at Kroll. I have been a Certified Public Accountant for approximately 22 years. I make this declaration in support of Chevron Corporation’s (“Chevron”) Motion to Hold Steven Donziger in Contempt of Court for His Failure to Comply with the RICO and Default Judgments and the April 16, 2018 Restraining Notice.

2. I provided a Declaration of John Slavek in Support of Chevron Corporation’s Motion to Hold Steven Donziger in Contempt of Court for His Failure to Comply with the RICO and Default Judgments and the April 16, 2018 Restraining Notice on September 30, 2018. Since providing that declaration, I have received and reviewed additional source materials.

Documents Reviewed and Relied Upon

3. Document productions from four different sources were reviewed and relied upon throughout the course of these analyses, as shown below.

#	Source	Bates # Prefix
1	TD Bank	TD BANK 000...
2	Chase Bank	CHASEPJD000... and DONZ00...
3	Josh Rizack	JRIZACK000... and RIZACKPJD-000...
4	Counsel for Russ DeLeon and Julian Jarvis	AV0000... and JRD00...

4. **Shares in the Ecuadorian Judgment to Pay Creditors:** RIZACKJPD-0000521 is a document with the title “Contracts, Reasons and Recommendations” and includes a listing of 14 individuals, 10 of whom have been assigned an apparent recommended percentage in the Ecuadorian Judgment. Based on the metadata that accompanied the accredited translation of this document, it was authored by Donziger, last printed on August 29, 2016, and last saved by Rizack on September 26, 2016. The document also includes reasons why these individuals should be entitled to a portion of the Ecuadorian Judgment, such as the following:

“Aaron Page/.25 (quarter point)

Aaron has worked over one hundred years as an attorney in this case, mostly without pay;”¹

“Joshua Rizack/.25

Josh helps with fund raising; he has worked 4-5 years mostly without pay organizing POINTS, contracts, expenses and revenues. He is an expert in financing. In the future he will be key in organizing investments and attracting more funds.”

“...Karen Hinton/.125 (eighth)

Has been the plaintiffs’ spokeswoman in the U.S. and the world for years; has worked several years without pay.”

¹ It is assumed that the reference to working “over one hundred years” is a translation error on the part of the author, Donziger.

5. Despite the above claims regarding the lack of pay to these individuals, bank records and other documentation provided show that payments were made to them, and six of the other individuals on the schedule, between January 1, 2012 and May 10, 2018. These payments came from the Donziger Chase and TD Bank accounts and the Donziger-controlled CWP Associates bank account as well as from Torvia and Amazonia Recovery Limited (“Amazonia Recovery”).

6. As shown on Exhibits 10, 10.1, and 10.2, Aaron Page (Forum Nobis) received a total of \$298,820.60 in 21 payments between January 20, 2012 and March 14, 2018, an average of approximately \$4,060 a month over the 74 months. The first six payments prior to the RICO judgment on March 4, 2014 totaled \$159,320.60 and came from Torvia and Amazonia Recovery. The final four payments during this period totaled \$70,000.00 and came from one of Donziger’s personal accounts at TD Bank. The first three payments after the RICO judgment totaled \$12,000.00 and came from two of Donziger’s personal accounts at TD Bank. The next six payments totaling \$40,000.00 came from a Donziger & Associates business account at TD Bank. The final two payments to Page during this period totaled \$17,500.00 and came from the CWP Associates bank account.

7. While Donziger states in his October 31, 2018 Declaration “that it appears [Rizack] was paid a total of \$12,566.33 over a period of more than five years ending June 2018 – that is, just over \$2,000 per year,” this figure only includes a payment from one of Donziger’s personal TD Bank accounts. As shown on Exhibits 10, 10.1, and 10.2, Josh Rizack (The Rising Group) received a total of \$171,381.82 in six payments between February 2, 2012 and January 19, 2017, an average of approximately \$34,500 per year, significantly more than Donziger’s stated \$2,000 per year. The majority of this amount came in three payments totaling \$156,636.99 from Torvia prior to RICO judgment. The fourth payment to Rizack during this period was for \$1,342.50 and

came from a Donziger business account at Chase Bank. There were two payments to Rizack after the RICO judgment which totaled \$13,402.33 and came from two of Donziger's personal accounts at TD Bank.

8. As shown on Exhibits 10, 10.1, and 10.2, Karen Hinton (Hinton Communications) received a total of \$171,371.49 in nine payments between January 20, 2012 and February 6, 2018. All six payments prior to the RICO judgment came from Torvia and Amazonia Recovery and totaled \$164,937.15. There were three payments after the RICO judgment which totaled \$6,434.34. Two of these totaling \$1,948.65 came from one of Donziger's personal accounts at TD Bank. The final payment to Hinton was for \$4,485.69 and came from the CWP Associates bank account. It should also be noted that in a January 25, 2018 email exchange between Donziger and Katie Sullivan, Donziger stated "I don't want to pay her really...not a lot of work" when discussing a Hinton invoice and whether to include "Karen" in the 2018 budget.²

9. A summary of the payments to the remaining six individuals shown on RIZACKJPD-0000521 is as follows.

- a. The only other individual to receive a payment from Torvia or Amazonia Recovery was David Sherman who received one payment of \$125,000.00 on February 2, 2012.
- b. The only two other individuals to receive payments prior to the RICO Judgment were Rick Friedman (\$150,000.00 from a Donziger TD Bank personal account on October 7, 2013) and Deepak Gupta (\$100,000.00 from a Donziger TD Bank personal account on December 18, 2013). Gupta also received one payment after

² MKS-0006310

the RICO judgment, receiving \$25,000.00 from a Donziger TD Bank business account on December 16, 2016.

- c. The remaining three individuals received their payments after the RICO judgment. Patricio Salazar Cordova received three payments totaling \$9,656.25 with two payments from two different Donziger TD Bank business accounts and the third from the CWP Associates account. Simon Billiness received two payments totaling \$5,250.00 with one payment from a Donziger TD Bank personal account and the second from CWP Associates. Finally, Waddell Phillips received one payment for \$2,220.07 from the CWP Associates account.

Analyses of Deposits and Transfers into the Donziger Personal Bank Accounts and Payments to Laura Miller from the Donziger Business Accounts

10. As noted on Exhibits 4-B and 5-B of my September 30, 2018 Declaration, a net total of \$560,000.00 in Investor funds were either directly deposited into or transferred from business accounts to Donziger personal accounts at TD Bank. In addition, \$135,000.00 in payments were made to Donziger's wife, Laura Miller, from two Donziger TD Bank business accounts via five wire transfers, as follows:

Date	Amount
June 19, 2017	\$50,000.00
August 9, 2017	25,000.00
September 11, 2017	25,000.00
March 5, 2018	20,000.00
June 11, 2018	15,000.00
Total	\$135,000.00

Thus, Donziger and his wife personally received at least \$695,000.00 of Investor funds during the period from January 25, 2016 through June 11, 2018.

Executed on this 7th day of November, 2018 at New York, New York.



John A. Slavek